

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TOLEKSIS BIIN TUTORA, JR., : 11 Civ. 3270 (LTS) (JCF)

Plaintiff, : REPORT AND  
: RECOMMENDATION

- against - :

MR. KRAWEC, Unit Chief, DR. :  
KATHPALIA, Psychiatrist, DR. :  
RAMASREE, Psychiatrist, :

Defendants. :

USLS

11-2-11

DGS

DATE FILED: 11-2-11

TO THE HONORABLE LAURA T. SWAIN, U.S.D.J.:

The complaint in this action was filed on May 4, 2011, and an order for service was issued on June 15, 2011. However, service was never made on the defendants. By letter dated October 19, 2011, I advised the plaintiff to submit within two weeks any reasons why the action should not be dismissed. I received no reply. I therefore recommend that the complaint be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Pursuant to 28 U.S.C. § 636(b)(1) and Rules 72, 6(a), and 6(d) of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days to file written objections to this Report and Recommendation. Such objections shall be filed with the Clerk of the Court, with extra copies delivered to the chambers of the Honorable Laura T. Swain Room 755, and to the chambers of the undersigned, Room 1960, 500 Pearl Street, New York, New York 10007. Failure to file timely objections will preclude appellate review.

Respectfully submitted,



JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
November 2, 2011

Copies mailed this date to:

Toleksis Biin Tutora, Jr.  
425 Robinson St.  
Binghamton, New York 13904